

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	Christian Fleischhacker, et al.	)	
		)	
		)	
Application No.:	10/697,418	)	Art Unit
		)	2816
		)	
Filed:	October 30, 2003	)	
		)	
For:	METHOD AND APPARATUS FOR	)	
	ADJUSTING AN ACTIVE FILTER	)	
		)	
Examiner:	Minh T. Nguyen	)	

**PETITION TO REVIVE AND RE-SUBMIT ISSUE FEE**

Mail Stop: Petition  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.137(b), and in response to the Notice of Abandonment dated January 27, 2006, Applicants petition to revive the abandoned application on the grounds of unintentional delay in payment of the Issue Fee. In support of the petition, Applicants submit Exhibit A clearly showing "Part B-Fee(s) Transmittal" was filed September 29, 2005. The transmittal authorized the payment of the Issue Fee from deposit account no. 08-2665, which was approximately two and one-half months prior to the due date of December 13, 2005. Applicants received a Notice of Abandonment which was issued on January 27, 2006. In response, a Petition to Withdraw Holding of Abandonment Under 37 C.F.R. § 1.181(a) was filed on February 10, 2006. Applicants' attorney has recently been informed by PTO personnel that the

application was abandoned because the attorney's deposit account was insufficient on the day payment of the issue fee was applied to the deposit account. The insufficiency was unintentional.

We authorize a charge to Deposit Account No. 08-2665 for the petition processing fee of \$1,500.00, pursuant to 37 C.F.R. § 1.17(m). In addition, Part B-Fee(s) Transmittal is being re-submitted herewith.

Accordingly, Applicants respectfully request that the application be revived and the re-submission of the Issue Fee be accepted.

DATED this 14<sup>th</sup> day of June, 2006.

Respectfully submitted,



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David O. Seeley, Reg. No. 30,148  
Customer No. 34013  
Holme Roberts & Owen LLP  
299 South Main Street, Suite 1800  
Salt Lake City, Utah 84111  
(801) 521-5800

## **EXHIBIT 1**



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Attorney: David O. Seeley Date: September 29, 2005  
 PTO Stamp indicates receipt of: X Patent Matter Trademark Matter  
 Application Docket No.: 48924-01050  
 Application No.: 10/697,418  
 Filing Date: October 30, 2003  
 Title: METHOD AND APPARATUS FOR ADJUSTING AN ACTIVE FILTER

Express Mail Label EV 701537259 US dated September 29, 2005

1. Part B Fee(s) Transmittal (in duplicate)
2. Return Receipt Postcard



## PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: MailMail Stop ISSUE FEE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
or Fax (571) 273-2885

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

34013 7590 09/13/2005

HOLME ROBERTS & OWEN, LLP  
299 SOUTH MAIN  
SUITE 1800  
SALT LAKE CITY, UT 84111

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

## Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/697,418	10/30/2003	Christian Fleischacker	48924-01050	7218

TITLE OF INVENTION: METHOD AND APPARATUS FOR ADJUSTING AN ACTIVE FILTER

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1400	\$300	\$1700	12/13/2005

EXAMINER	ART UNIT	CLASS-SUBCLASS
NGUYEN, MINH T	2816	327-554000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB-122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB-47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively,
- (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 Holme Roberts &amp; Owen LLP

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3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

Infineon Technologies AG

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Muenchen, Fed Rep Germany

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☒ Corporation or other private group entity ☐ Government

4a. The following fee(s) are enclosed:

- ☒ Issue Fee
- ☐ Publication Fee (No small entity discount permitted)
- ☐ Advance Order - # of Copies \_\_\_\_\_

4b. Payment of Fee(s):

- ☐ A check in the amount of the fee(s) is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☒ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number 08-2065 (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.
- ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above. NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature

Date September 29, 2005

Typed or printed name

David O. Seeley

Registration No. 30,148

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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Examiner:	Minh T. Nguyen	)

CERTIFICATE OF EXPRESS MAIL

MS: Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

I hereby certify that the below listed documents are being deposited with the United States Postal Service, Express Mail EV 701537259 US under 37 CFR 1.10 in an envelope addressed to: Mail Stop: Issue Fee, The Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450:

1. Part B Fee(s) Transmittal (in duplicate)
2. Return Receipt Postcard

Dated this 29<sup>th</sup> day of September, 2005.

  
Michelle Stephens  
Legal Secretary  
HOLME ROBERTS & OWEN LLP  
299 South Main, Suite 1800  
Salt Lake City, UT 84111  
801-521-5800